Examiner's Comment/Amendment

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 27, 2009 has been entered.

Examiner acknowledges that the applicant has amended claims 1, 5, 7, 22, & 28 and canceled claims 10-21. Currently, claims 1-9 and 22-29 are pending in the application.

Applicant's arguments, see pages 6-8, filed August 27, 2009, with respect to claims 1-9 and 22-27 have been fully considered and are persuasive. The claim rejections - 35 USC § 103 of March 17, 2009 has been withdrawn.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Victor Kernus on September 8, 2009.

The application has been amended as follows:

a. cancel claims 28-29

Examiner's Statement of Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the claims recite a control element comprising a rotary known having an axis of rotation, a combined scale and corona, wherein the scale is part of the panel that is designed to work together with the control element, an optical light guide includes two parts, the two parts being partially separated by an annular slot, such that parts of the panel engage or project into the slot, a light rotor including a shaft that extends along the axis of rotation, the light rotor extending towards the optical light guide to a height necessary for light transport, and a light source located below the shaft of the light rotor in alignment with the axis of rotation.

Because none of the references disclosed the structural details of the light rotor and optical light guide, nor is there any motivation to combine the details of the light source located alignment with the axis of rotation, the claims are deemed patentable over the prior art of record.

Hasegawa et al. (USPN 5,093,764) teaches a combined scale and corona illumination, wherein the scale (23a; FIG 1) is a part of a panel (23 and 7) that is designed to work together with the control element (column 2, lines 35-55; "… *an outer knob 2 and an inner knob 3 are coaxially provided on a panel surface 23 with a graduation 23 thereon*") an optical light guide (6) that includes two parts (6d and 6c), which are partially separated by an annular slot (FIG 2), such that parts of the panel engage (23 and 7) or project into the slot (7), a light rotor (2) that extends towards the optical light guide (6) to a height necessary for light transport (column 3, lines 40-50; "...

the panel surface light guide 6 is divided into an outer knob illuminating portion 6c as a portion internally of the shield plate 7 and a panel surface illuminating portion 6d externally thereof"), and a light source (24) located below (FIG 2) the light rotor (2). However, Hasegawa et al. fails to include details of the light rotor extending towards the optical light guide for light transport and a light source located in alignment with axis of rotation.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JACOB Y. CHOI whose telephone number is (571)272-2367. The examiner can normally be reached on Monday-Friday (10:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jong-Suk (James) Lee can be reached on (571) 272-7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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JC

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